

**UNITED STATES DISTRICT COURT
EASTERN DIVISION OF MICHIGAN
SOUTHERN DIVISION**

RODERICK LOGAN, JR., a Minor,
By His Next Friend and mother, TENICIA ELLIS,

Plaintiffs,

Case No. 2023-
Hon.

vs.

OFFICER ADNAN ZEGHIR,
In his Individual Capacity,

Defendant.

JAMES J. HARRINGTON, IV (P65351)
JAMES S. CRAIG (P52691)
Fieger, Fieger, Kenney & Harrington, P.C.
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COMPLAINT AND DEMAND FOR JURY TRIAL

There is no other civil action between these parties arising out of the same transaction or occurrence as alleged in this complaint pending in this court, nor has any such action been previously filed and dismissed or transferred after having been assigned to a judge, nor do I know of any other civil action not between these parties arising out of the same transaction or occurrence as alleged in this complaint that is either pending, or was previously filed and dismissed, transferred, or otherwise disposed of after having been assigned to a judge in this court.

/s/ *James S. Craig*

James S. Craig

NOW COME Plaintiffs, RODERICK LOGAN, JR., a Minor, by and through, TENICIA ELLIS, his mother and Next Friend, by and through their attorneys, FIEGER, FIEGER, KENNEY, & HARRINGTON, P.C., and for their Complaint and Jury Demand against the above-named Defendant, hereby state as follows:

JURISDICTION

1. This action arises under the United States Constitution and under the laws of the United States Constitution, particularly under the provisions of the Fourth and Fourteenth Amendments to the United States Constitution and under the laws of the United States, particularly the Civil Rights Act, Title 42 of the United States Code, Sections 1983 and 1988.

2. This court has jurisdiction pursuant to 28 U.S.C. §§ 1331, 1343 (a)(3), 1343(a)(4) and 42 U.S.C § 1983.

3. The amount in controversy exceeds Seventy-Five Thousand Dollars (\$75,000.00), excluding interests, costs and attorney fees.

VENUE

4. Venue lies in the Eastern District of Michigan pursuant to 28 U.S.C § 1391(d), the events took place in the City of Dearborn, County of Wayne, State of Michigan, which is located within the jurisdiction of the United States District Court for the Eastern District of Michigan, Southern Division.

PARTIES

5. At all times relevant to this lawsuit, Plaintiff, TENICIA ELLIS, as mother and Next Friend of RODERICK LOGAN, JR., resided in the City of Detroit, County of Wayne, State of Michigan.

6. At all times relevant to this lawsuit, Plaintiff, RODERICK LOGAN, JR., a Minor, resided in the City of Detroit, County of Wayne, State of Michigan.

7. At all times relevant hereto, Defendant, OFFICER ADNAN ZEGHIR (referred to hereinafter as “ZEGHIR”), was a citizen of the State of Michigan and was acting under the color of state law within the course and scope of his employment as a police sergeant for the City of Detroit. He is named in this action in his individual capacity.

GENERAL ALLEGATIONS

8. Plaintiffs hereby reincorporate and restate each and every allegation contained in the preceding paragraphs of this Complaint as if fully set forth herein.

9. On June 28, 2023, Plaintiff, RODERICK LOGAN, JR. went to the Dearborn Walmart store with his family, specifically his mother and father, for the purposes of shopping.

10. Plaintiff, RODERICK LOGAN, JR. is a young black male, who was lawfully walking with his mother and father in the Dearborn Walmart store, located

at 5851 Mercury Drive, Dearborn, MI when several Dearborn Police officers entered the Walmart store looking for suspects involved in a car theft.

11. Defendant, OFFICER ADNAN ZEGHIR, tased Plaintiff, RODERICK LOGAN, JR., without warning—violating the Dearborn Police Department policy.

12. Plaintiff, RODERICK LOGAN, JR. fell to the ground motionless, hitting his head on the pavement.

13. Defendant, OFFICER ADNAN ZEGHIR approached RODERICK LOGAN, JR. and put his knee in RODERICK'S back and began to cuff Plaintiff.

14. Upon information and belief, Defendant, OFFICER ADNAN ZEGHIR failed to provide Plaintiff, RODERICK LOGAN, JR. with a lawful reason for the detention and arrest.

15. At no time did Defendant, ZEGHIR ever have a lawful reason to arrest Plaintiff RODERICK LOGAN, JR.

16. At no point did Plaintiff, RODERICK LOGAN, JR. pose a threat to himself, others, or Defendant, ZEGHIR.

17. At no point did Plaintiff, RODERICK LOGAN, JR., become a risk to himself, others, or Defendant.

18. Under all the circumstances known to Defendant, ZEGHIR, the physical force used against Plaintiff, RODERICK LOGAN, JR., by Defendant, ZEGHIR was objectively unreasonable and clearly excessive.

19. At all times relevant hereto, Defendant, ZEGHIR falsely arrested Plaintiff, RODERICK LOGAN, JR.

20. At all times relevant hereto, Defendant, ZEGHIR's actions towards Plaintiff were excessive, unnecessary and objectively unreasonable.

21. At all times relevant hereto, Defendant, ZEGHIR owed a duty to Plaintiff, RODERICK LOGAN, JR. to protect and serve without using excessive force.

22. At all times relevant hereto, Defendant, ZEGHIR repeatedly violated Plaintiff's rights when he inhibited his movement by detaining him without a reasonable suspicion in violation of Plaintiff's Fourth Amendment Rights.

23. At all times relevant hereto, Defendant, ZEGHIR repeatedly violated Plaintiff's rights when he arrested him without probable cause in violation of Plaintiff's Fourth Amendment Rights.

24. At all times relevant hereto, Defendant, ZEGHIR repeatedly violated Plaintiff's rights, used excessive force, in violation of Plaintiffs' Fourth Amendment Rights.

25. The misconduct of Defendant, ZEGHIR, directly and proximately, caused Plaintiff, RODERICK LOGAN, JR.'s injuries as set forth herein.

COUNT I
42 U.S.C § 1983-VIOLATION OF PLAINTIFFS 4th
AMENDMENT RIGHTS DEFENDANT SERGEANT BEASLEY

26. Plaintiffs hereby reincorporate and restate each and every allegation contained in the preceding paragraphs of this Complaint as if fully set forth herein.

27. At all times relevant hereto, Defendant, ZEGHIR was acting under the color of state law and in his capacity as a Sergeant for the City of Detroit Police Department and his acts and/or omissions were conducted within the scope of his official duties and employment.

28. Plaintiff, RODERICK LOGAN, JR. had the clearly established right under the Fourth and Fourteenth Amendment to be free from excessive force, unlawful detention, and wrongful arrest by law enforcement.

29. Under all the circumstances known to Defendant, ZEGHIR, the physical force used against Plaintiff, RODERICK LOGAN, JR. was objectively unreasonable and clearly excessive.

30. Plaintiff, RODERICK LOGAN, JR. was tased for no reason.

31. That Plaintiff, RODERICK LOGAN, JR. was then forcefully shoved to the ground causing injury.

32. Defendant, ZEGHIR violated Plaintiff's clearly established right to be free from unlawful seizure, unnecessary force, unreasonable force, and excessive

force pursuant to the Fourth and Fourteenth Amendments of the United States Constitution.

33. At all times relevant hereto, Plaintiff, RODERICK LOGAN, JR. was unarmed and did not pose a threat to the safety of Defendant or others.

34. At all times relevant hereto, Plaintiff, RODERICK LOGAN, JR. had not committed a crime, was not engaged in the commission of a crime, and was not about to commit a crime.

35. The misconduct of Defendant, ZEGHIR, directly and proximately, caused Plaintiff, RODERICK LOGAN, JR. to suffer numerous injuries including, but not limited to:

- a. Pain and suffering;
- b. Concussion;
- c. Headaches;
- d. Anxiety;
- e. Mental Anguish;
- f. Emotional distress;
- g. Fright and Shock;
- h. Humiliation and/or mortification;
- i. Economic loss;
- j. Punitive damages;
- k. Exemplary Damages;
- l. Attorneys fees and costs pursuant to 42 U.S.C. §1988;

- m. Other damages, injuries, and consequences that are found to be related to the incident that develops during the course of discovery; and
- n. Any other damages allowed by law.

36. The acts and/or omissions of Defendant, ZEGHIR were willful, wanton, reckless, malicious, oppressive, and/or done with a conscious or reckless disregard for the constitutional rights of Plaintiff, RODERICK LOGAN, JR. Plaintiff therefore requests an award of punitive and exemplary damages. Plaintiff has retained private counsel to represent him in this matter and is entitled to an award of attorney fees and costs.

WHEREFORE, Plaintiffs, RODERICK LOGAN, JR., a Minor, by his mother and Next Friend, TENICIA ELLIS, respectfully request this Honorable Court enter a judgment in their favor against Defendant and award an amount in excess of Seventy-Five Thousand (\$75,000) Dollars, exclusive of costs, interest, and attorney fees, as well as an award of punitive damages.

Respectfully Submitted,

Fieger, Fieger, Kenney & Harrington, P.C.

By: /s/ *James S. Craig*

JAMES J. HARRINGTON, IV (P65351)

JAMES S. CRAIG (P52691)

Fieger, Fieger, Kenney & Harrington, P.C.

Attorneys for Plaintiff

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Dated: October 27, 2023

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DEMAND FOR TRIAL BY JURY

NOW COME Plaintiffs, RODERICK LOGAN, JR., a Minor, by and through, TENICIA ELLIS, his mother and Next Friend Plaintiffs, by and through their attorneys, FIEGER, FIEGER, KENNEY & HARRINGTON, P.C., and hereby demand a trial by jury in the above-captioned matter.

Respectfully Submitted,

Fieger, Fieger, Kenney & Harrington, P.C.

By: /s/ *James S. Craig*

JAMES J. HARRINGTON, IV (P65351)

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